

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

DENNIS GRIFFIN,

Plaintiff,

vs.

Case No.: 04-C-00512

ODISE BENNETT and
JONATHAN DELAGRAVE

Defendants.

JULY 25, 2005 AFFIDAVIT OF JONATHAN J. DELAGRAVE

STATE OF WISCONSIN :
 :SS
COUNTY OF RACINE :

JONATHAN J. DELAGRAVE, being first duly sworn, deposes and states as follows:

1. I, Jonathan J. Delagrave, am employed by Racine County as the Superintendent of Juvenile Detention Center at the Racine County Juvenile Detention Center located at 1717 Taylor Avenue, Racine, Wisconsin, 53403. In January 2004, my title was Deputy Superintendent of Racine County Juvenile Detention Center.

2. I was one of Dennis Griffin's supervisors when he was employed at the Racine County Juvenile Detention Center as a "Detention Worker."

3. On January 21, 2004, shortly before midnight, I asked Mr. Griffin to take a drug test based upon reasonable suspicion. He refused and was sent home.

4. On January 22, 2004, I participated in a meeting with Dennis Griffin, Odise Bennett, the Detention Superintendent at the Racine County Juvenile Detention Center, Todd Nelson, a union

representative, and Susan Richardson, from the Racine County Human Resources Department to address Mr. Griffin's refusal to take the drug test.

5. At the meeting on January 22, 2004, I again requested that Mr. Griffin take a drug test. Griffin complied with my request to take a drug test, and I accompanied him to the drug testing center. After the drug test, I drove him home.

6. On January 27, 2004, at approximate 8:40 a.m., I attended a meeting with Dennis Griffin to discuss his positive drug test results. Also, present at the meeting were Mr. Griffin, Marta Kultgen, the human resources manager of the Racine County Human Resources Department, and union representatives Todd Nelson, William Willis, and Barbara Governatori, who were there in support of Mr. Griffin.

7. At the outset of the January 27, 2004 meeting, Mr. Griffin was asked whether the medical review officer had previously called him to inform him of the positive test result. Dennis replied "yes."

8. At the January 27, 2004 meeting, Mr. Griffin was asked if there was anything further that he would like to share regarding his conversation with the medical review officer. Dennis replied "no."

9. At the January 27, 2004 meeting, Mr. Griffin was asked if there was anything at all he wanted to say at all about his positive drug test result. He replied "no."

10. Mr. Griffin was afforded an opportunity at the January 27, 2004 meeting to offer any thoughts or explanations for his positive test results.

11. At the January 27, 2004 meeting, Mr. Griffin did not offer any explanation, reason, or excuse, regarding his positive test result.

12. At the end of the January 27, 2004 meeting, Mr. Griffin was terminated from his position at the Racine County Juvenile Detention Center.

Pursuant to 28 U.S.C. Sec. 1746 I certify under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed on July 25, 2005

s/ Jonathon J. Delagrave

Jonathon J. Delagrave